

**DOE Recommended Format
Oil Overcharge Restitution Programs
Annual Report**

Fiscal Year 2006

June 2006

**DOE RECOMMENDED FORMAT
OIL OVERCHARGE RESTITUTION PROGRAMS ANNUAL REPORT
FISCAL YEAR 2006**

Overview

Tracking the use of the oil overcharge funds (also known as Petroleum Violation Escrow, or PVE, funds), particularly as they relate to innovative State projects or programs, aids in identifying practical concepts and ideas that can be transferred to other States and the federal government. Furthermore, as these monies are depleted in the coming years, it is vital to communicate the accomplishments of the current and past levels of funding in order to identify new funding priorities. This revised format facilitates the comparison of projects among States and provides information in a format that can be uniformly summarized to depict funding activity nationally.

Revised DOE Recommended Annual Report Format

DOE's recommended report format will produce an Annual Report that is based upon all funds received and projects approved and concurred in by DOE, beginning with the first distribution of overcharge funds to the States, through the end of FY 2006. The completed reports will aid DOE in maintaining complete and accurate records. Additionally, this information can serve as an important summary of each State's use of its overcharge funds.

The following pages outline the necessary information for each portion of the report format. The report should contain: 1) Overview of Oil Overcharge Restitution Programs; 2) Program and Project Descriptions; 3) Program and Project Monitoring; and 4) Financial Summary Tables. The following outline lists each section as it should appear in the report, and each financial summary table has a corresponding list which describes the required information.

SECTION ONE—OVERVIEW OF OIL OVERCHARGE RESTITUTION PROGRAMS

This section requests general information about each of the restitution programs (Warner, Exxon, Stripper Well, and Diamond Shamrock).

Warner Restitution Program

This portion of the report should summarize the Warner restitution program by briefly describing the history of the program in the State since the distribution of the funds. This

summary should include items such as significant changes in the way the funds are administered, important State legislative decisions pertaining to the funds, identification of the group or committee that reviews or plans use of the funds in the State, and important program decisions.

The summary should also include major authorizations, such as plans to use all or significant portions of distributions in particular programs such as Weatherization Assistance and Low-Income Home Energy Assistance.

Exxon Restitution Program

This portion of the report should summarize the Exxon restitution program by briefly describing the history of the program in the State since the distribution of the funds. This summary should include items such as significant changes in the way the funds are administered, important State legislative decisions pertaining to the funds, identification of the group or committee that reviews or plans use of the funds in the State, and important program decisions.

The summary should also include major authorizations, such as plans to use all or significant portions of distributions in particular programs such as Weatherization Assistance and Low-Income Home Energy Assistance.

Stripper Well Restitution Program

The Stripper Well restitution program should be summarized by briefly describing the history of the program in the State since the first distribution of the funds, how the State involved the public in the process of determining the use of the funds, and what the State has done in providing restitution to low-income persons and Native Americans. This summary should include items such as significant changes in the way the funds are administered, important State legislative decisions pertaining to the funds, the group or committee that reviews/plans use of the funds in the State, and important program decisions.

The summary should include major authorizations, such as plans to use all or significant portions of distributions in particular programs such as Weatherization Assistance, Low-Income Home Energy Assistance, and non-grant projects, such as energy efficiency research activities or road repair. Also, the summary should note plans for the designation of existing funds.

Finally, the summary should state the designated agency or individual (position title) who is responsible for submitting Stripper Well proposals.

Diamond Shamrock Restitution Program

This portion of the report should summarize the Diamond Shamrock restitution program by briefly describing the history of the program in the State since the distribution of the funds. This summary should include items such as significant changes in the way the funds are administered, important State legislative decisions pertaining to the funds, the group or committee that reviews or plans use of the funds in the State, and important program decisions.

The summary should also include major authorizations, such as plans to use all or significant portions of distributions in particular programs such as Weatherization Assistance and Low-Income Home Energy Assistance.

SECTION TWO—PROGRAM AND PROJECT DESCRIPTIONS

This section should provide detailed information about current programs and individual projects under each of the restitution programs (Warner, Exxon, Stripper Well, and Diamond Shamrock). Include **all individual projects that are currently active** (projects which have a remaining balance of funds) beginning with the first distribution of restitution funds through the end of the State FY 2006.

Warner Restitution Program

This portion of the report should include information about the use of Warner funds for each of the following programs:

- ☐ State Energy Conservation Program/State Energy Program (SECP/SEP)
- ☐ Energy Extension Service (EES)
- ☐ Weatherization Assistance Program (WAP)
- ☐ Institutional Conservation Program (ICP)
- ☐ Low-Income Home Energy Assistance Program (LIHEAP)

The report should provide the following information for each of the above funded programs:

- ☐ Significant information about the project,
- ☐ Cumulative funding amount, and
- ☐ Modifications in the amount of funding.

Exxon Restitution Program

This portion of the report should include information about the use of Exxon funds for each of the following programs:

- ☐ State Energy Conservation Program/State Energy Program (SECP/SEP)
- ☐ Energy Extension Service (EES)
- ☐ Weatherization Assistance Program (WAP)
- ☐ Institutional Conservation Program (ICP)
- ☐ Low-Income Home Energy Assistance Program (LIHEAP)

The report should provide the following information for each of the above funded programs:

- ☐ Significant information about the project,
- ☐ Cumulative funding amount,
- ☐ Modifications in the amount of funding.

Additionally, if your State operates loan programs with Exxon funds, please provide information on how much repayment interest, if any, has been put back into each of those loan programs. (States have two options in the case of repayment interest: States may recycle this interest back into the loan funds, or may add them to overall PVE funds available.) If repayment interest is going back into loan programs, please include this in Table 2, Column 2, "Total Funds Approved."

Stripper Well Restitution Program

Briefly describe all projects (for all years) that were concurred in or approved by DOE and are **currently active** that is, the projects that had a balance of funds in FY 2006. If additional funds have been added to a project, note both the incremental and cumulative funding amounts. This narrative should include:

- ☐ Significant information about the project,
- ☐ Funding amounts, and
- ☐ Modifications in the amount of funding.

Project information, particularly the narrative description, is very important in helping to identify innovative programs that may be of interest to other States.

Additionally, if your State operates loan programs with Stripper Well funds, please provide information on how much repayment interest, if any, has been put back into each of those loan programs. (States have two options in the case of repayment interest: States may recycle this interest back into the loan funds, or may add them to overall PVE funds available.) If repayment interest is going back into loan programs,

please include this in Table 2, Column 1 or 2, "Total Funds Concurred" or "Total Funds Approved," whichever applies.

Briefly describe the use of administrative funds and general oversight of the programs and projects using Stripper Well funds. Additionally, indicate the cumulative amount of Stripper Well funds used for administrative purposes (this should include attorney and non-attorney expenses).

Diamond Shamrock Restitution Program

Please provide the same type of information for Diamond Shamrock funds as requested for Stripper Well funds.

SECTION THREE—PROGRAM AND PROJECT MONITORING

This section should list the State organizations that manage and administer each of the restitution funds and describe how the funds are monitored. Additionally, please provide any information available about estimated energy savings as a result of projects or programs, as well as other benefits and impacts of the projects and programs.

SECTION FOUR—FINANCIAL SUMMARY TABLES

This section should contain a detailed accounting of all financial information. In completing this section, it is particularly important to note the period of time covered by each of the data requests. Unlike the project description section of the report, the Cumulative Financial Summary should **include the funds involved in all projects, including completed projects** without a balance of funds remaining (except Table 3 of this section which requests a list of active projects only).

Cumulative funds should include all funds, beginning with the first distribution of restitution funds received, through the end of State FY 2006. Portions of the summary pertaining to Fiscal Year data should include only funds used in FY 2006.

TABLE 1
Petroleum Violation Escrow Funds Summary (Cumulative and FY 2006)

This table should contain summary funding amounts for each of the State's restitution programs, including Warner, Exxon, Stripper Well, and Diamond Shamrock.

Cumulative Funds Received

All funds received by the State beginning with the first distribution of the restitution funds through the end of FY 2006

Cumulative Investment Interest Earned

All depository interest earned on the original amount of funds received by the State beginning with the first distribution of the restitution funds through the end of the FY 2006. (not including interest paid by participants in loan programs).

Cumulative Repayment Interest Earned

All interest earned from payments by participants in loan programs, beginning with the first distribution of the restitution funds through the end of FY 2006

Total Cumulative Interest Earned

The total of "Cumulative Investment Interest Earned" and "Cumulative Repayment Interest Earned"

Cumulative Funds Total

The total of cumulative funds received plus cumulative interest earned

Total Funds Designated

All funds that a State has spent and intends to spend for all programs or projects, as directed by the governor or legislature.

Funds Concurred in FY 2006 (Stripper Well only)

Funds in projects which DOE's Stripper Well Review Committee found consistent with the Stripper Well settlement agreement in FY 2006, or which DOE's Office of Hearings and Appeals (OHA) approved on appeal during the same period.

Funds Approved in FY 2006

All funds in the FY 2006 State Plan for federal programs (WAP, SECP/SEP, and LIHEAP) (This would not include those Stripper Well and Diamond Shamrock projects. implemented outside the grant programs.)

Funds Expended in FY 2006

All funds actually spent in FY 2006

Cumulative Funds Concurred (Stripper Well only)

Funds in projects which DOE's Stripper Well Review Committee found consistent with the Stripper Well settlement agreement, or which OHA approved on appeal, beginning with the first distribution of the funds through the end of FY 2006

Cumulative Funds Approved

The total of all funds (for all years) in State Plans for federal programs (WAP, ICP, SECP/SEP, EES, and LIHEAP) beginning with the first distribution of the restitution funds through the end of FY 2006 (This would not include those Stripper Well and Diamond Shamrock projects implemented outside the grant programs)

Cumulative Funds Expended

All funds actually spent beginning with the first distribution of the restitution funds through the end of FY 2006

TABLE 1

**Petroleum Violation Escrow Funds Summary
(FY ending date)**

Fund Type	Cumulative Funds Received	Cumulative Investment Interest Earned	Cumulative Repayment Interest Earned	Total Cumulative Interest Earned	Cumulative Funds Total	Total Funds Designated
Warner						
Exxon						
Stripper Well						
Diamond Shamrock						

Fund Type	Funds Concurred in FY 2006	Funds Approved ¹ in FY 2006	Funds Expended in FY 2006	Cumulative Funds Concurred	Cumulative Funds Approved ¹	Cumulative Funds Expended
Warner						
Exxon						
Stripper Well						
Diamond Shamrock						

¹ In the case of Diamond Shamrock funds approved, indicate the funds obligated as no approval process is involved under the settlement agreement.

Note: Funds concurred, approved, and expended for the FY 2006 and Cumulative on Table 1, should match the corresponding total funds on Table 2 for each of the oil overcharge funds. For example, Funds Expended in FY 2006 for Stripper Well under Table 1 should match Total Funds Expended in FY 2006 for Stripper Well under Table 2.

TABLE 2
Funding Summary by Program (Cumulative and Fiscal Year)

This table should contain summary information similar to Table 1. However, in Table 2 the funding amounts are to be listed by program (WAP, ICP, SECP/SEP, EES, LIHEAP, and Other).

Total Funds Designated

All funds that a State has spent and intends to spend for all programs or projects, as directed by the governor or legislature

Funds Concurred in FY 2006 (Stripper Well only)

Funds in projects which DOE's Stripper Well Review Committee found consistent with the Stripper Well settlement agreement in FY 2006, or which DOE's Office of Hearings and Appeals (OHA) approved on appeal during the same period.

Funds Approved in FY 2006

All funds in the FY 2006 State Plan for federal programs (WAP, SECP/SEP, and LIHEAP) (This would not include those Stripper Well and Diamond Shamrock projects implemented outside the grant programs)

Funds Expended in FY 2006

All funds actually spent during FY 2006

Cumulative Funds Concurred (Stripper Well only)

Funds in projects which DOE's Stripper Well Review Committee found consistent with the Stripper Well settlement agreement, or which OHA approved on appeal, beginning with the first distribution of the funds through the end of FY 2006

Cumulative Funds Approved

The total of all funds (for all years) in State Plans for federal programs (WAP, ICP, SECP/SEP, EES, and LIHEAP) beginning with the first distribution of the restitution funds through the end of FY 2006 (This would not include those Stripper Well and Diamond Shamrock projects implemented outside the grant programs)

Cumulative Funds Expended

All funds actually spent beginning with the first distribution of the restitution funds through the end of FY 2006

TABLE 2

**Petroleum Violation Escrow Funds Summary by Program
(FY ending date)**

Fund Type	Funds By Program Type				
Warner	Total Funds Designated	Funds Approved in FY 2006	Funds Expended in FY 2006	Cumulative Funds Approved	Cumulative Funds Expended
WAP					
ICP					
SECP/SEP					
EES					
LIHEAP					
TOTAL					

Fund Type	Funds By Program Type				
Exxon	Total Funds Designated	Funds Approved in FY 2006	Funds Expended in FY 2006	Cumulative Funds Approved	Cumulative Funds Expended
WAP					
ICP					
SECP/SEP					
EES					
LIHEAP					
TOTAL					

TABLE 2 CONTINUED

Fund Type	Funds By Program Type						
Stripper Well	Total Funds Designated	Funds Concurrred in FY 2006	Funds Approved in FY 2006	Funds Expended in FY 2006	Cumulative Funds Concurrred	Cumulative Funds Approved	Cumulative Funds Expended
WAP							
ICP							
SECP/SEP							
EES							
LIHEAP							
ADMIN.							
OTHER							
TOTAL							

Fund Type	Funds By Program Type				
Diamond Shamrock	Total Funds Designated	Funds Approved ² in FY 2006	Funds Expended in FY 2006	Cumulative Funds Approved ²	Cumulative Funds Expended
WAP					
ICP					
SECP/SEP					
EES					
LIHEAP					
ADMIN.					
OTHER					
TOTAL					

² In the case of Diamond Shamrock funds approved, indicate the funds obligated as no approval process is involved under the settlement agreement.

TABLE 3
Petroleum Violation Escrow Funding Summary by Individual Project
(Stripper Well only)

This table should **list all Stripper Well projects (for all years) concurred in by DOE and currently active**, that is, the projects that had a balance of funds during FY 2006.

Date of DOE Concurrence

Date that DOE's Stripper Well Review Committee found the proposed project consistent with the Stripper Well settlement agreement, or the date DOE's Office of Hearings and Appeals (OHA) approved the project on appeal

Proposed Amount

Amount of funding proposed for the project.

Funds Expended in FY 2006

All funds actually spent on the project in FY 2006

Cumulative Funds Expended

The total of all funds actually spent on the project beginning with DOE's initial concurrence through the end of FY 2006

Projected Funds to be Expended in FY 2006

Projected expenditure of funds for FY 2006 (if the balance of funds remaining for the project exceeds \$100,000 at the end of FY 2006)

Projected Funds to be Expended in FY 2007

Projected expenditure of funds for FY 2007 (if the balance of approved funds remaining after FY 2006's projected expenditure for the project exceeds \$100,000)

Comments Concerning Amendments

Please mark this box with an "X" if there are any comments concerning amendments to the original funding amount approved for the project, or special notations about significant changes in the goal of the project. List these comments in the narrative section (under the Annual Report's "SECTION TWO—PROGRAM AND PROJECT DESCRIPTIONS")

TABLE 3

Petroleum Violation Escrow Funding Summary by Individual Project (FY Ending Date)

Stripper Well	Date of DOE Concurrence	Proposed Amount	Funds Expended in FY 2006	Cumulative Funds Expended	Projected Funds to be Expended in FY 2006	Projected Funds to be Expended in FY 2007	Comments Concerning Amendments
Project Title							
TOTAL							

TABLE 4
Administrative and Tribal Funds (Cumulative and FY 2006)

This table is a summary of: 1) the State's cumulative administrative expenses broken out by attorney and non-attorney expenses for Stripper Well and Diamond Shamrock restitution funds, and 2) cumulative funds to tribal governments (not applicable for every State).

Cumulative Administrative Expenses (non-attorney)

The cumulative amount actually spent for all non-attorney administrative expenses beginning with the first distribution of oil overcharge funds through the end of FY 2006

Cumulative Attorney Expenses

The cumulative amount actually spent for all attorney fees beginning with the first distribution of oil overcharge funds through the end of FY 2006

Cumulative Tribal Funds (if applicable) (Stripper Well only)

The cumulative amount of all funds distributed to, or in projects for, tribal governments, beginning with the first distribution of oil overcharge funds through the end of FY 2006

Administrative Expenses in FY 2006 (non-attorney)

The total amount actually spent for all non-attorney administrative expenses in FY 2006

Attorney Expenses in FY 2006

The total amount actually spent for all attorney fees in FY 2006

Tribal Funds in Projects (if applicable) (Stripper Well only)

The cumulative amount of all funds distributed to, or in projects for, tribal governments in FY 2006.

TABLE 4

**Administrative and Tribal Funds
(FY ending date)**

Stripper Well		FY 2006	Cumulative
	Administrative Expenses (non-attorney)		
	Attorney Expenses		
	Total Administrative Expenses		
	Funds to Tribal Governments		
Diamond Shamrock		FY 2006	Cumulative
	Administrative Expenses (non-attorney)		
	Attorney Expenses		
	Total Administrative Expenses		

Glossary of Terms

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WAP: Weatherization Assistance Program, administered by DOE, providing grants to States for installation of energy efficiency and renewable energy measures in the homes of low-income citizens.

SEP: State Energy Program, administered by DOE, providing grants to States for a wide range of energy efficiency and renewable energy activities that contribute to their energy goals and meet the needs of their citizens.

SECP: State Energy Conservation Program, formerly administered by DOE, no longer active. All activities eligible for funding under SECP are included as eligible in the State Energy Program.

EES: Energy Extension Service, formerly administered by DOE, no longer active. All activities eligible for funding under EES are included as eligible in the State Energy Program.

ICP: Institutional Conservation Program, formerly administered by DOE, no longer active. All activities eligible for funding under ICP are included as eligible in the State Energy Program.

LIHEAP: Low-Income Home Energy Assistance Program, administered by HHS, providing grants to States for payment of energy costs incurred by low-income citizens.

Cumulative: Includes all years of activity beginning with the first distribution of the particular oil overcharge fund through the end of FY 2006

Fiscal Year 2006: Includes only those activities that pertain to State FY 2006

Total Designated: All funds that a State has spent and intends to spend for all programs or projects, as directed by the governor or legislature

Concurred: Funds in projects which DOE's Stripper Well Review Committee found consistent with the Stripper Well Settlement Agreement, or which DOE's Office of Hearings and Appeals (OHA) approved on appeal

Approved: All funds in a State Plan for federal programs (WAP, ICP, SECP/SEP, EES, and LIHEAP) (This would not include those Stripper Well and Diamond Shamrock projects implemented outside the grant programs)

Expended: Funds actually spent

Investment Interest: Depository interest earned on all of the original amount of funds received by the State (not including interest from payments by participants in loan programs)

Repayment Interest: Interest earned from payments by participants in loan programs